

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MOZELLA CHILES, et.al.

No. 07-10938

Plaintiffs,

District Judge Marianne O. Battani

v.

Magistrate Judge R. Steven Whalen

THE BANK OF NEW YORK,

Defendant.

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**ORDER DENYING MOTION TO VOID DOCUMENTS**

On May 24, 2007, Plaintiff, proceeding *pro se* (without counsel) filed a Motion to Void Documents [Docket No. 24]. However, the motion is not accompanied by a Certificate of Service, as required by Fed.R.Civ.P. 5(d). Under Fed.R.Civ.P. 5(b)(1), service of a motion must be made on the attorney who represents the opposing party<sup>1</sup>, and under Rule 5(d), a Certificate showing the date and manner in which service was made must be filed along with the motion.

Because the Plaintiff has failed to comply with the Rules regarding service of motions, her Motion to Void Documents [Docket #24] is DENIED WITHOUT PREJUDICE. She may re-file a motion that is in compliance with the above rules.

SO ORDERED.

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<sup>1</sup> Attorney of record for Defendant Bank of New York is Lissa E. Kalt, Trott and Trott, 31440 Northwestern Hwy., Suite 200, Farmington Hills, MI 48334.

S/R. Steven Whalen

R. STEVEN WHALEN

UNITED STATES MAGISTRATE JUDGE

Dated: June 20, 2007

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on June 20, 2007.

S/G. Wilson

Judicial Assistant